

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Abbie Parker

Confirmation No.: 9307

Application No.: 10/033,622

Examiner: Chen, Alan

Filing Date: 12-27-01

Group Art Unit: 2182

Title: System and Method for Print Outcome Notification

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Sir:

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on 6-14-05.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

() (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

() one month	\$120.00
() two months	\$450.00
() three months	\$1020.00
() four months	\$1590.00

() The extension fee has already been filled in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

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Typed Name: Mary Meegan

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Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Abbie Parker)

Serial No.: 10/033,622)

Filed: December 27, 2001)

For: System and Method for Print)
Outcome Notification)

Group Art Unit: 2182

Examiner: Chen, Alan

Atty. Docket No.: 10015505-1

APPEAL BRIEF UNDER 37 C.F.R. §41.37

Mail Stop: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Appeal Brief under 37 C.F.R. §41.37 is submitted in support of the Notice of Appeal filed June 14, 2005, responding to the final Office Action mailed March 21, 2005.

It is not believed that extensions of time or fees are required to consider this Appeal Brief. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 08-2025.

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I. Real Party in Interest

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

II. Related Appeals and Interferences

There are no known related appeals or interferences that will affect or be affected by a decision in this Appeal.

III. Status of Claims

Claims 1-3, 5-9, 11-13, and 15-27 stand finally rejected. No claims have been allowed. The final rejections of claims 1-3, 5-9, 11-13, and 15-27 are appealed.

IV. Status of Amendments

This application was originally filed on December 27, 2001, with seventeen (17) claims. In a Response filed February 13, 2004, Applicant added new claims 18-27. In a Response filed June 18, 2004, Applicant amended claims 1-4, 7-10, 12-18, and 21-27. In a Response filed August 31, 2004, Applicant filed a Request for Continued Examination (RCE). In a Response filed January 13, 2005, Applicant amended claims 1-3, 5-9, 13, 18, 23, and canceled claims 4, 10, and 14. In a Response filed May 6, 2005, Applicant added claims 28-33, which were not entered.

All of the above-identified amendments have been entered with the exception of addition of claims 28-33 and no other amendments have been made to any claims. The claims in the attached Claims Appendix (see below) reflect the present state of the claims under consideration.

V. Summary of Claimed Subject Matter

The claimed inventions are summarized below with reference numerals and references to the written description (“specification”) and drawings. The subject matter described in the following appears in the original disclosure at least where indicated, and may further appear in other places within the original disclosure.

Independent claim 1 describes a method for providing print outcome notification. The method of claim 1 comprises determining which print driver settings are selected. Applicant’s specification, page 10, lines 6-24; Figure 4, item 402.

The method of claim 1 further comprises determining whether one or more of the print driver settings is likely to adversely affect the quality of images printed on the print media or the speed at which printing is performed, or to result in consumption of large amounts of printing device consumables. Applicant’s specification, page 10, lines 6-24; Figure 4, items 402 and 404.

The method of claim 1 further comprises providing notification to a user that a selected print driver setting may result in an adverse printing result. Applicant’s specification, page 11, lines 1-2 and 6-9; Figure 4, item 406.

Independent claim 9 describes a system for providing print outcome notification. The system of claim 9 comprises means for determining which print

driver settings are selected. Applicant's specification, page 10, lines 6-24; Figure 4, item 402.

The system of claim 9 further comprises means for determining whether one or more of the print driver settings is likely to adversely affect the quality of images printed on the print media or the speed at which printing is performed, or to result in consumption of large amounts of printing device consumables. Applicant's specification, page 10, lines 6-24; Figure 4, items 402 and 404.

The system of claim 9 further comprises means for providing notification to a user that a selected print driver setting may result in an adverse printing result. Applicant's specification, page 11, lines 1-2 and 6-9; Figure 4, item 406.

Independent claim 13 describes a printer driver that includes software configured to provide print outcome notification. The system of claim 13 comprises logic configured to determine which print driver settings are selected. Applicant's specification, page 10, lines 6-24; Figure 4, item 402.

The system of claim 13 further comprises logic configured to determine whether one or more of the print driver settings is likely to adversely affect the quality of images printed on the print media or the speed at which printing is performed, or to result in consumption of large amounts of printing device consumables. Applicant's specification, page 10, lines 6-24; Figure 4, items 402 and 404.

The system of claim 13 further comprises means logic configured to provide notification to a user that a selected print driver setting may result in an adverse printing result. Applicant's specification, page 11, lines 1-2 and 6-9; Figure 4, item 406.

Independent claim 18 describes a method for providing print outcome notification. The method of claim 18 comprises determining which print driver

settings are selected. Applicant's specification, page 10, lines 6-24; Figure 4, item 402.

The method of claim 18 further comprises determining whether one or more of the print driver settings is likely to adversely affect the speed at which printing is performed or result in consumption of large amounts of printing device consumables. Applicant's specification, page 10, lines 6-24; Figure 4, items 402 and 404.

The method of claim 18 further comprises providing notification to a user that a selected print driver setting may adversely affect the speed at which printing is performed or result in consumption of large amounts of printing device consumables. Applicant's specification, page 11, lines 1-2 and 6-9; Figure 4, item 406.

Independent claim 23 describes a printer driver separate from a file manipulation software and stored on a computer-readable medium. The method of claim 23 comprises logic configured to determine which print driver settings are selected. Applicant's specification, page 10, lines 6-24; Figure 4, item 402.

The method of claim 23 further comprises logic configured to determine whether one or more of the print driver settings is likely to adversely affect the speed at which printing is performed or result in consumption of large amounts of printing device consumables. Applicant's specification, page 10, lines 6-24; Figure 4, items 402 and 404.

The method of claim 23 further comprises logic configured to notify a user that a selected print driver setting may adversely affect the speed at which printing is performed or result in consumption of large amounts of printing device consumables. Applicant's specification, page 11, lines 1-2 and 6-9; Figure 4, item 406.

VI. Grounds of Rejection to be Reviewed on Appeal

The following ground of rejection is to be reviewed on appeal:

Claims 1-3, 5-9, 11-13, and 15-27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Moro, et al. ("Moro," U.S. Pat. No. 6,327,051).

VII. Arguments

The Appellant respectfully submits that Applicant's claims are not obvious under 35 U.S.C. § 103(a) and respectfully requests that the Board of Patent Appeals overturn the final rejections of those claims at least for the reasons discussed below.

I. Claim Rejections - 35 U.S.C. § 103(a)

Claims 1-3, 5-9, 11-13, and 15-27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Moro, et al. ("Moro," U.S. Pat. No. 6,327,051). Applicant respectfully traverses this rejection.

As has been acknowledged by the Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office ("USPTO") has the burden under section 103 to establish a *prima facie* case of obviousness by showing some objective teaching in the prior art or generally available knowledge of one of ordinary skill in the art that would lead that individual to the claimed invention. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). The Manual of Patent Examining Procedure (MPEP) section 2143 discusses the requirements of a *prima facie* case for obviousness. That section provides as follows:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teaching. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and reasonable expectation of success must be found in the prior art, and not based on applicant's disclosure.

In the present case, the prior art reference does not teach or suggest all of the claim limitations and there is no suggestion or motivation in the prior art to modify the reference to comprise those limitations. Applicant discusses the Moro disclosure and Applicant's claims in the following.

A. The Moro Disclosure

Moro discloses a system in which a *printer driver setting is compared to a state of a printer to determine if the setting and the state agree*. For example, in describing a "Fifth Embodiment," Moro states:

In this embodiment, it is determined whether selection of paper size of the printer driver and the size of the paper actually placed in the printer agree. If the two do not agree, an error display is presented and printing is suspended or the paper is changed. (Moro, column 25, lines 53-57)

As a further example, in describing a "Seventh Embodiment," Moro states:

Described next will be a printing system in which when the setting of the printer driver and the setting of the printer differ, the setting

of the printer driver is changed in conformity with the setting of the printer without an error display being presented. A case in which the printing heads differ in a manner similar to that of the third embodiment will be described as an example. (Moro, column 27, lines 39-45)

Moro does *not* teach a system in which a printer driver setting is checked to determine whether that setting would adversely affect one or more of print quality, print speed, or consumption of printing device consumables.

B. Applicant's Claims

1. Claims 1-3, 5-9, 11-13, and 15-17

Applicant's independent claim 1, which is representative of the above claims, provides as follows (emphasis added):

1. A method for providing print outcome notification, comprising:

determining which print driver settings are selected;

determining whether one or more of the print driver settings is likely to adversely affect the *quality of images printed on the print media* or the *speed at which printing is performed*, or to *result in consumption of large amounts of printing device consumables*; and

providing notification to a user that a selected print driver setting may result in an adverse printing result.

(a) Print Quality

As is noted above, claim 1 recites "determining whether one or more of the print driver settings is likely to adversely affect the *quality of images printed on the print media*" (emphasis added). In the final Office Action, the Examiner argues that Moro

teaches this limitation, and refers to Moro's Figure 42, element S281; and Figure 49, elements S351 and S352. Regarding Figure 42, Moro only teaches determining the size of paper that is in the printer (S281), determining a paper size setting of a printer driver (S282), determining whether the printer paper size is the same as the printer driver paper size (S283) and, if the two are "different," displaying this fact to a user (S284).

Applicant notes that the Moro system's ability to ensure that the paper size selected with the printer driver and the paper that is in the printer is the same does *not* pertain to print quality. As is well known to persons of skill in the printing arts, "print quality" is a term of art that is a measure or indication of the quality of print data (i.e., print image) as it appears on the printed media (e.g., piece of paper). *Whether the paper size selected with the print driver and the size of the paper that is in the printer is the same or not has nothing to do with print quality.* Although such a mismatch may result in the hard copy printed being the wrong size and, potentially, the print data not being properly centered on the page, such a paper size mismatch would *not* affect print quality (i.e., the *quality* of the image that appears on the page). For at least this reason, Figure 42 does not teach or suggest determining whether one or more of the print driver settings is likely to "adversely affect the quality of images printed on the print media".

Turning to Figure 49, Moro only teaches determining the type of print head (i.e., color or monochrome) that is in the printer (S351), determining a print head setting (i.e., color or monochrome) of a printer driver (S352), determining whether the print head is the same as the print head setting (S353) and, if the two are "different," displaying this fact to a user (S254). Again, this process does not pertain to print quality. Although a mismatch between the print head that is in the printer and a print head selection made with the driver may result in the wrong color being printed (e.g., monochrome instead of

color), such a mismatch would *not* adversely affect the print quality (i.e., the *quality* of the image as it appears on the page).

The Examiner argues that determinations and notifications of Moro's system intrinsically indicate that print quality will be adversely affected. Applicant disagrees for reasons stated above. Applicant further notes that the Examiner has not explained how the paper size or print head color mismatch adversely affect "the quality of images printed on the print media" as is would be understood by persons having ordinary skill in the printing arts. Although Applicant asked this question in the response to the final Office Action, no answer was provided in the Advisory Action. Because the answer to that question has not been provided, a *prima facie* case of obviousness has not been made against Applicant's claims.

As for the Examiner's argument that print quality generally pertains to "degree of excellence," Applicant again asserts that the term "print quality" is a term of art that has significance to persons having skill in the printing arts. Therefore the Merriam-Websters Online Dictionary definition of the word "quality" is not controlling. At issue is print quality that, as is noted in the above, relates to the quality of the printed image that appears on the print media. Moreover, Applicant notes that, as was stated multiple times during prosecution of the instant application, Applicant does not merely recite determining a driver setting that will adversely affect "print quality". Instead, Applicant explicitly recites determining a driver setting that will adversely affect "the quality of images printed on the print media" (emphasis added). Therefore, the well-established meaning of the term "print quality" is actually explicitly incorporated into the claims. Nothing in the Moro disclosure relates to the "quality of images printed on the print media".

In view of the above, Moro does not teach or suggest “determining whether one or more of the print driver settings is likely to adversely affect the quality of images printed on the print media”. Notably, similar recitations appear in independent claims 9 and 13.

(b) Print Speed

As is noted above, claim 1 recites “determining whether one or more of the print driver settings is likely to adversely affect . . . *the speed at which printing is performed*” (emphasis added). The Examiner states that Moro teaches this limitation and refers to Moro’s Figure 42, element S281; and Figure 49, elements S351 and S352.

Applicant has already explained what the above portions of the Moro disclosure teach, and it is clear that those portions do not teach or suggest determining whether one or more of the print driver settings is likely to adversely affect the speed at which printing is performed. Specifically, irrespective of whether the print driver settings as to paper size or print head color match those of the printer, the speed at which printing is performed is the same.

The Examiner argues that Moro’s determinations and notifications intrinsically indicate that print speed will be adversely affected. Applicant disagrees for reasons stated above. Applicant further notes that the Examiner has not explained *how* paper size or print head color mismatch adversely affect “the speed at which printing is performed” as is understood by persons having ordinary skill in the printing arts. For at least this reason, the rejection fails to make a *prima facie* case of obviousness.

In view of the above, Moro does not teach “determining whether one or more of the print driver settings is likely to adversely affect . . . the speed at which printing is performed”. Notably, similar recitations appear in independent claims 9 and 13.

(c) Consumable Consumption

As is noted above, claim 1 recites “determining whether one or more of the print driver settings is likely to . . . result in consumption of large amounts of printing device consumables” (emphasis added). Applicant notes that the Examiner does not explicitly address this limitation or explain how Moro teaches or suggests it.

Irrespective of the lack of discussion as to this limitation, Applicant notes that Moro’s teachings as to paper size or print head color mismatch do not equate to determining whether one or more of the print driver settings is likely to result in consumption of large amounts of printing device consumables. First, the consumable consumption would be *the same* whether the driver paper selection matched the paper that is actually in the printer. For instance, if the driver setting was set to “letter” paper, but the printer contained “legal” paper, the amount of toner used to print the job would be identical. Second, although print head mismatch may result in the wrong *color* ink(s) being consumed, it would *not* result in “large amounts of printing device consumables” being consumed. As to the Examiner’s argument that an ink cartridge not being installed in the printer would prevent printing and therefore result in consumption of large amounts printing device consumables, to the contrary, such a situation would result in *less* consumables being consumed, not more.

In view of the above, Moro does not teach “determining whether one or more of the print driver settings is likely to . . . result in consumption of large amounts of printing device consumables”. Notably, similar recitations appear in independent claims 9 and 13.

(d) Conclusion Regarding Independent Claims

In view of the foregoing, it is clear that Moro does not teach or suggest determining whether one or more of the print driver settings is likely to adversely affect “the quality of images printed on the print media or the speed at which printing is performed”, or to “result in consumption of large amounts of printing device consumables”. Given that none of those three limitations are satisfied by the Moro disclosure, Applicant submits that Moro does not render independent claims 1, 9, or 13 obvious.

(e) Dependent Claims

Applicant notes that various of Applicant’s dependent claims contain additional subject matter not taught or suggested by Moro. For example, regarding claim 6, Moro does not teach or suggest providing an indication of “the degree of severity” of the adverse result. In particular, merely identifying an adverse result does *not* include the additional feature of also providing an indication of how severe the adverse result is. Applicant notes that the limitations of claim 6 must be read in conjunction with the limitations contained in the claims from which it depends. Therefore, claim 6 includes both providing notification that a setting may result in an adverse printing result *and* providing an indication of the degree of severity of the adverse result. Moro does not teach both an indication of a mismatch and an indication of the severity of such a mismatch, as appears to be suggested by the Examiner.

2. Claims 18-27

Claims 18-27 are also allowable over Moro. Regarding independent claim 18, Moro does not teach or suggest “determining whether one or more of the print driver

settings is likely to adversely affect the speed at which printing is performed or result in consumption of large amounts of printing device consumables”, for reasons discussed in the foregoing. Applicant notes that similar recitations are provided in independent claim 23.

Applicant further notes that various of Applicant’s dependent claims contain subject matter not taught or suggested by Moro. For example, in regard to claims 20 and 25, Moro does not teach or suggest means or logic for providing an indication of “the degree of severity” of the adverse result. In particular, merely identifying an adverse result does *not* include the additional feature of also providing an indication of how severe the adverse result is. Applicant notes that the limitations of claims 20 and 25 must be read in conjunction with the limitations contained in the claims from which they depend.

II. Non-Entry of Claims 28-33

Applicant further objects to the Examiner’s non-entry of claims 28-33. As was noted in the response to the final Office Action, claims 28-33 only contain limitations that already have been examined by the Examiner. In particular, these claims separately claim the three adverse printing results recited in each of Applicant’s claims 1, 9, and 13. Applicant added claims 28-33 to the application because, as the Examiner noted, the three adverse printing results are presented in the alternative in claims 1, 9, and 13 and, therefore, a reference need only teach one of the results to anticipate claims 1, 9, and 13. By submitting new claims 28-33 to the Board for review, however, the Board could identify an allowable even if, for example, the Board decided that Moro teaches two of the adverse printing results, but not all three.

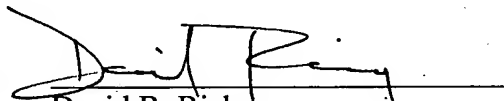
Irrespective of the fact that only one of the three adverse printing results need be taught to anticipate claims 1, 9, and 13, the Examiner addressed all three throughout prosecution of the instant application. Therefore, the Examiner presumably searched for each adverse printing result in formulating rejections. It follows then that addition of claims 28-33, which add no new limitations, would not impose any additional burden on the Examiner. To exclude addition of these claims and prevent the Board from judging their patentability simply because Applicant is "presenting additional claims without canceling a corresponding number of finally rejected claims" is unfair and only serves the purpose of attempting to deny Applicant a patent. The duty of the Patent Examiner is to ensure that only allowable claims are issued, not to prevent patents from being issued.

VII. Conclusion

In summary, it is Applicant's position that Applicant's claims are patentable over the applied prior art references and that the rejection of these claims should be withdrawn. Appellant therefore respectfully requests that the Board of Appeals overturn the Examiner's rejection and allow Applicant's pending claims.

Respectfully submitted,

By:


David R. Risley
Registration No. 39,345

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Mary M. Egan
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Claims Appendix under 37 C.F.R. §41.37(c)(1)(viii)

The following are the claims that are involved in this Appeal.

1. A method for providing print outcome notification, comprising:
determining which print driver settings are selected;
determining whether one or more of the print driver settings is likely to adversely affect the quality of images printed on the print media or the speed at which printing is performed, or to result in consumption of large amounts of printing device consumables; and
providing notification to a user that a selected print driver setting may result in an adverse printing result.
2. The method of claim 1, wherein determining which print driver settings are selected comprises determining a print driver setting that has been selected by the user.
3. The method of claim 1, wherein determining which print driver settings are selected comprises determining a current default print driver setting.
5. The method of claim 1, wherein providing notification comprises facilitating presentation of a warning dialogue box to the user.
6. The method of claim 1, wherein providing notification comprises providing an indication of the degree of severity of the adverse result.

7. The method of claim 1, further comprising suggesting an alternative print driver setting that will not likely result in an adverse printing result.

8. The method of claim 7, further comprising automatically adjusting a print driver setting for the user so as to avoid an adverse printing result.

9. A system for providing print outcome notification, comprising:
means for determining which print driver settings are selected;
means for determining whether one or more of the print driver settings is likely to adversely affect the quality of images printed on the print media or the speed at which printing is performed, or to result in consumption of large amounts of printing device consumables; and

means for providing notification to a user that a selected print driver setting may result in an adverse printing result.

11. The system of claim 9, wherein the means for providing notification comprise means for facilitating presentation of a warning dialogue box to the user.

12. The system of claim 9, further comprising means for suggesting an alternative print driver setting that will not likely result in an adverse printing result.

13. A printer driver that includes software configured to provide print outcome notification, comprising:

logic configured to determine which print driver settings are selected;

logic configured to determine whether one or more of the print driver settings is likely to adversely affect the quality of images printed on the print media or the speed at which printing is performed, or to result in consumption of large amounts of printing device consumables; and

logic configured to provide notification to a user that a selected print driver setting may result in an adverse printing result.

15. The driver of claim 13, wherein the logic configured to provide notification comprises logic configured to facilitate presentation of a warning dialogue box to the user.

16. The driver of claim 13, further comprising logic configured to suggest an alternative print driver setting that will not likely result in an adverse printing result.

17. The driver of claim 13, further comprising logic configured to cancel printing.

18. A method for providing print outcome notification, the method comprising:

determining which print driver settings are selected;

determining whether one or more of the print driver settings is likely to adversely affect the speed at which printing is performed or result in consumption of large amounts of printing device consumables; and

providing notification to a user that a selected print driver setting may adversely affect the speed at which printing is performed or result in consumption of large amounts of printing device consumables.

19. The method of claim 18, wherein providing notification comprises presenting a warning dialogue box to the user.

20. The method of claim 18, wherein providing notification comprises indicating the degree of severity of the adverse result.

21. The method of claim 18, further comprising suggesting an alternative print driver setting that will not likely result in an adverse printing result.

22. The method of claim 21, further comprising automatically adjusting a print driver setting for the user so as to avoid an adverse printing result.

23. A printer driver separate from a file manipulation software and stored on a computer-readable medium, the system comprising:

logic configured to determine which print driver settings are selected;

logic configured to determine whether one or more of the print driver settings is likely to adversely affect the speed at which printing is performed or result in consumption of large amounts of printing device consumables; and

logic configured to notify a user that a selected print driver setting may adversely affect the speed at which printing is performed or result in consumption of large amounts of printing device consumables.

24. The driver of claim 23, wherein the logic configured to notify comprises logic configured to present a warning dialogue box to the user.

25. The driver of claim 23, wherein the logic configured to notify comprises logic configured to indicate the degree of severity of the adverse result.

26. The driver of claim 23, further comprising logic configured to suggest an alternative print setting that will not likely result in an adverse printing result.

27. The driver of claim 26, further comprising logic configured to automatically adjust a print driver setting for the user so as to avoid an adverse printing result.

Evidence Appendix under 37 C.F.R. §41.37(c)(1)(ix)

There is no extrinsic evidence to be considered in this Appeal. Therefore, no evidence is presented in this Appendix.

Related Proceedings Appendix under 37 C.F.R. §41.37(c)(1)(x)

There are no related proceedings to be considered in this Appeal. Therefore, no such proceedings are identified in this Appendix.